

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of R. ABOVITZ, et al. ) Examiner: C. KRONENTHAL  
Serial No.: 09/963,873 ) Art Unit: 2627  
Filed: September 25, 2001 ) Confirmation: 9194  
For: **FLUOROSCOPIC** )  
**REGISTRATION** )  
**ARTIFACT WITH** )  
**OPTICAL AND/OR** )  
**MAGNETIC MARKERS** )  
Attorney Docket No.: ) Cleveland, OH 44114  
MAKO 2 00023 US ) October 6, 2006

**COMMUNICATION REGARDING**  
**MAILING ADDRESS**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22213-1450

Dear Sir:

On April 20, 2006, the applicants filed a Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address. Nonetheless, the Patent Office has continued to send communications, particularly the Notice of Allowance and fees due, to the prior attorney.

Certificate of Mailing

I certify that this **COMMUNICATION REGARDING MAILING ADDRESS** in connection with Ser. No. 09/963,873 is being  
☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below..

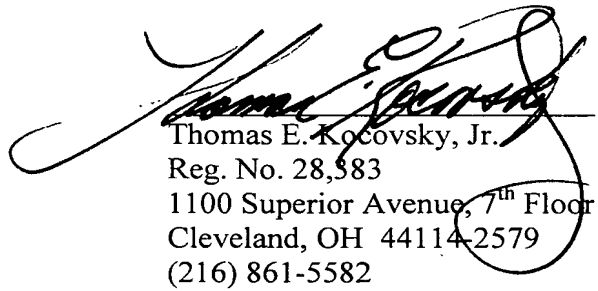
Date  
October 6, 2006

Signature  
*Hilary M McNulty*  
Printed Name  
Hilary M. McNULTY

The applicants enclose another copy of the Revocation and Change of Address, and request that future communications be sent to the undersigned.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP



Thomas E. Kocovsky, Jr.  
Reg. No. 28,583  
1100 Superior Avenue, 7<sup>th</sup> Floor  
Cleveland, OH 44114-2579  
(216) 861-5582



PTO/SB/82 (01-06)

Approved for use through 12/31/2008. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REVOCATION OF POWER OF  
ATTORNEY WITH  
NEW POWER OF ATTORNEY  
AND  
CHANGE OF CORRESPONDENCE ADDRESS**

|                        |                               |
|------------------------|-------------------------------|
| Application Number     | 09/963,873                    |
| Filing Date            | September 25, 2001            |
| First Named Inventor   | Rony A. ABOVITZ et al.        |
| Art Unit               | 2623                          |
| Examiner Name          | Craig W. Kronenthal           |
| Attorney Docket Number | MAKO 2 00023 (prior 4204.6-2) |

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number:

027885

☒ Please change the correspondence address for the above-identified application to:☒ The address associated with  
Customer Number:

027885

OR

|  |   |       |       |                         |            |
|--|---|-------|-------|-------------------------|------------|
| <input checked="" type="checkbox"/> Firm or<br>Individual Name | Thomas E. KOCOVSKY, Jr., FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP |       |       |                         |            |
| Address  | 1100 Superior Avenue, Seventh Floor                               |       |       |                         |            |
| City   | Cleveland   | State | Ohio  | Zip                     | 44114-2579 |
| Country  | United States   |       |       |                         |            |
| Telephone  | (216) 861-5582  |       | Email | tkocovsky@faysharpe.com |            |

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

|           |  |
|-----------|--|
| Signature |  |
| Name      | Menashe R. Frank, General Counsel, Z-KAT, INC. |

|      |               |           |                |
|------|---------------|-----------|----------------|
| Date | APRIL 4, 2006 | Telephone | (954) 927-2044 |
|------|---------------|-----------|----------------|

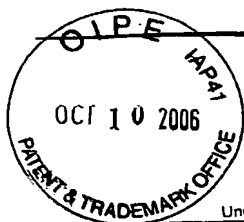
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ \*Total of TWO forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**BEST AVAILABLE COPY**



PTO/SB/96 (12-05)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

### STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Rony A. ABOVITZ et al.

Application No./Patent No./Control No.: 09/968,873 Filed/Issue Date: September 25, 2001

Entitled: FLUOROSCOPIC REGISTRATION ARTIFACT WITH OPTICAL AND/OR MAGNETIC MARKERS

Z-KAT, INC., a Corporation (State of Florida)

(Name of Assignee)

(Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or
2. ☒ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is 50 %)

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel                     , Frame                     , or a true copy of the original assignment is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

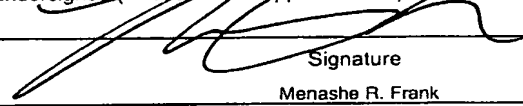
1. From: Rony A. ABOVITZ et al. To: Z-KAT, INC.  
The document was recorded in the United States Patent and Trademark Office at  
Reel 012787, Frame 0717, or for which a copy thereof is attached.
2. From: Z-KAT, INC. To: BIOMET MANUFACTURING CORP. (50%)  
The document was recorded in the United States Patent and Trademark Office at  
Reel                     , Frame                     , or for which a copy thereof is attached.
3. From:                      To:                       
The document was recorded in the United States Patent and Trademark Office at  
Reel                     , Frame                     , or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
\_\_\_\_\_  
Signature  
Menashe R. Frank  
\_\_\_\_\_  
Printed or Typed Name  
\_\_\_\_\_  
General Counsel, Z-KAT, INC.  
\_\_\_\_\_  
Title

4 APR 06  
\_\_\_\_\_  
Date  
(954) 927-2044  
\_\_\_\_\_  
Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BEST AVAILABLE COPY



PTO/SB/82 (01-06)

Approved for use through 12/31/2008. OMB 0651-0035  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REVOCATION OF POWER OF  
ATTORNEY WITH  
NEW POWER OF ATTORNEY  
AND  
CHANGE OF CORRESPONDENCE ADDRESS**

|                        |                               |
|------------------------|-------------------------------|
| Application Number     | 09/963,873                    |
| Filing Date            | September 25, 2001            |
| First Named Inventor   | Rony A. ABOVITZ et al.        |
| Art Unit               | 2623                          |
| Examiner Name          | Craig W. Kronenthal           |
| Attorney Docket Number | MAKO 2 00023 (prior 4204.6-2) |

**I hereby revoke all previous powers of attorney given in the above-identified application.**☐ A Power of Attorney is submitted herewith.**OR**☒ I hereby appoint the practitioners associated with the Customer Number:

027885

☒ Please change the correspondence address for the above-identified application to:☒ The address associated with  
Customer Number:

027885

**OR**

|  |   |       |                         |     |            |
|--|---|-------|-------------------------|-----|------------|
| <input checked="" type="checkbox"/> Firm or<br>Individual Name | Thomas E. KOCOVSKY, Jr., FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP |       |                         |     |            |
| Address  | 1100 Superior Avenue, Seventh Floor                               |       |                         |     |            |
| City   | Cleveland   | State | Ohio                    | Zip | 44114-2579 |
| Country  | United States   |       |                         |     |            |
| Telephone  | (216) 861-5582  | Email | tkocovsky@faysharpe.com |     |            |

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

|           |   |           |                |
|-----------|---|-----------|----------------|
| Signature |   |           |                |
| Name      | David L. Ahlersmeyer, Vice President, BIOMET INC. |           |                |
| Date      | MARCH 29, 2006                                    | Telephone | (574) 372-1647 |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ \*Total of TWO forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**BEST AVAILABLE COPY**



PTO/SB/96 (12-05)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Rony A. ABOVITZ et al.Application No./Patent No./Control No.: 09/968,873 Filed/Issue Date: September 25, 2001Entitled: FLUOROSCOPIC REGISTRATION ARTIFACT WITH OPTICAL AND/OR MAGNETIC MARKERSBIOMET MANUFACTURING CORP.

(Name of Assignee)

a Corporation (State of Indiana)

(Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or
2. ☒ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is 50 %)

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a true copy of the original assignment is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Rony A. ABOVITZ et al. To: Z-KAT, INC.  
The document was recorded in the United States Patent and Trademark Office at  
Reel 012787, Frame 0717, or for which a copy thereof is attached.
2. From: Z-KAT, INC. To: BIOMET MANUFACTURING CORP. (50%)  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

David L. Ahlersmeyer  
Signature

David L. Ahlersmeyer

Printed or Typed Name

Vice President, BIOMET INC.  
TitleMARCH 29, 2006

Date

(574) 372-1647

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**BEST AVAILABLE COPY**



2901 simms street

hollywood, florida 33020

tel 954.927.2044

fax 954.927.0446

zkat@z-kat.com

www.z-kat.com

### CONFIRMATORY ASSIGNMENT

This is to confirm that an undivided fifty percent (50%) interest in the patent applications listed on Attachment I was, on October 22, 2004, and hereby is assigned to Biomet Manufacturing Corp. of 56 East Bell Drive, Warsaw, Indiana 46582.

Z-KAT, Inc.

By: 

Fritz LaPorte

Chief Financial Officer

BEST AVAILABLE COPY



**ATTACHMENT I**

**Patent Application Serial No. 09/963,873**

Filing Date: September 25, 2001

Title: FLUOROSCOPIC REGISTRATION ARTIFACT WITH OPTICAL AND/OR MAGNETIC MARKERS

**Patent Application Serial No. 10/658,110**

Filing Date: September 9, 2003

Title: IMAGE GUIDED INTERVENTIONAL METHOD AND APPARATUS

**Patent Application Serial No. 10/772,137**

Filing Date: February 4, 2004

Title: PORTABLE, LOW PROFILE INTEGRATED COMPUTER, SCREEN AND KEYBOARD FOR COMPUTER SURGERY APPLICATIONS

**Patent Application Serial No. 11/006,481**

Filing Date: December 6, 2004

Title: INTERACTIVE COMPUTER-ASSISTED SURGERY SYSTEM AND METHOD

**Patent Application Serial No. 11/199,559**

Filing Date: August 8, 2005

Title: INTERACTIVE COMPUTER-ASSISTED SURGERY AND METHOD

**Patent Application Serial No. 09/484,809**

Filing Date: January 18, 2000

Title: APPARATUS AND METHOD FOR MEASURING ANATOMICAL OBJECTS USING COORDINATED FLUOROSCOPY

**Patent Application Serial No. 11/179,099**

Filing Date: July 12, 2005

Title: APPARATUS AND METHOD FOR MEASURING ANATOMICAL OBJECTS USING COORDINATED FLUOROSCOPY